

June 15, 2016



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 16323
(FIRST REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the installation of a tested inner receptacle of a composite intermediate bulk container (IBC) without subjecting the inner receptacle to a leakproofness test after installation. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.203(a) in that the special permit number is required to be notated on the shipper paper; § 178.801(f) and § 180.352(d)(1)(ii) in that installation of a tested inner receptacle of a composite IBC requires a leakproofness test after installation, except as specified herein.
5. BASIS: This special permit is based on the application of Fibre Drum Sales, Inc. dated March 1, 2016 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
All hazardous materials authorized in the § 172.101 Hazardous Materials Table to be transported in UN 31HA1 composite IBCs	As Appropriate	As Appropriate	II and III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are UN 31HA composite IBCs undergoing repair in accordance with § 180.352(d) or remanufacture in accordance with § 180.350(a) by replacement of the inner receptacle. The inner receptacle may be installed in the outer packaging of the IBC without further leakproofness testing if prior to installation, the inner receptacle:

- (1) Has been successfully leakproofness tested at the time of production in accordance with § 178.801(f);
- (2) Is marked in accordance with § 178.703(b)(6) by the manufacturer; and
- (3) Is inspected for any damage that may have occurred during transportation.

b. OPERATIONAL CONTROLS - An IBC repaired or remanufactured in accordance with this special permit must be:

- (1) Visually inspected to confirm that it conforms to the design type and is capable of withstanding the applicable design qualification tests;
- (2) Marked in accordance with § 180.352(d)(1)(iv) by the person installing the new inner receptacle certifying that functions required for repair of an IBC

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have been completed or marked in accordance with § 178.703 by the person installing the new inner receptacle certifying that functions required for remanufacture of an IBC have been completed; and

(3) Retested and inspected in accordance with § 180.352 no more than 2.5 years from the date of manufacture marked on the inner receptacle.

8. SPECIAL PROVISIONS: A current copy of this special permit must be maintained at each facility where the package is repaired or remanufactured and offered or reoffered for transportation.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.
10. MODAL REQUIREMENTS: None.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

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Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—“The Hazardous Materials Safety and Security Reauthorization Act of 2005” (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term “exemption” to “special permit” and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the Associate Administrator for Hazardous Materials Safety, must be notified in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: BenMOORE